

## DECLARATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I hereby claim benefit under title 35, United States Code, 119(e) of any United States provisional applications listed below:

Provisional application No. 60/413,732 filed on September 26, 2002

U.S. Patent Application, Serial No. 10/xxx,xxx filed on September 26, 2003

I believe I am the first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **PROACTIVE BURST CONTENTION AVOIDANCE SCHEDULING ALGORITHMS FOR LABELLED OPTICAL BURST SWITCHING NETWORKS** the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign applications(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventors certificate having a filing date before that of the application on which this priority is claimed:

NONE

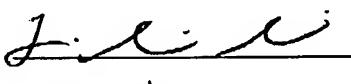
I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 11. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sections 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

NONE

Please address all communications and direct all telephone calls regarding this application to: John Staley, 5802 Flintshire Lane, Dallas, TX 75252, USA, (972) 250-4210.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or an patent issued thereon.

Full name of first inventor: Jikai Li

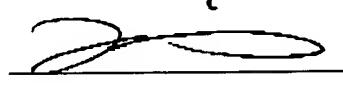
First inventor's signature: 

Citizenship: P.R. China

Residence Address: 6592 Dysinger Rd. Apt. 24, Lockport, NY 14094

Post Office Address: Lockport, NY 14094

Full name of joint inventor: Chunming Qiao

First inventor's signature: 

Citizenship: USA

Residence Address: 8186 Melissa Renne Court, Williamsville, NY 14221

Post Office Address: Williamsville, NY 14221

PTO/SB/01 (05-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Declaration  
Submitted  
With Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number		LIQiao/Proactive EdgeApp
First Named Inventor		Jikai Li
<b>COMPLETE IF KNOWN</b>		
Application Number		
Filing Date		
Art Unit		
Examiner Name		

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Proactive Burst Contention Avoidance Scheduling Algorithms for Labelled Optical Burst  
Switching & Networks**

(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY)  as United States Application Number or PCT International

Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 37 CFR 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/01 (05-03)

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to:  Customer Number  
or Bar Code Label   OR  Correspondence address below

## Name

Li and Qiao c/o John Staley

## Address

5802 Flintshire Lane

City Dallas	State TX	ZIP 75252
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Country United States	Telephone 972-250-4210	Fax 972-732-1950
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
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Given Name (first and middle [if any]) Jial	Family Name or Surname Li
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Inventor's Signature 	Date 09/26/2003
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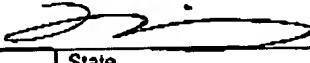
Residence: City Williamsville	State New York	Country United States	Citizenship P.R. China
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Mailing Address 6592 Dysinger Rd. Apt. 24	
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City Lockport	State New York	ZIP 14094	Country United States
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NAME OF SECOND INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
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Given Name (first and middle [if any]) Chunming	Family Name or Surname Olao
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Inventor's Signature 	Date 09/26/2003
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Residence: City Williamsville	State New York	Country United States	Citizenship United States
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Mailing Address 8186 Melissa Renee Court	
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City Williamsville	State New York	ZIP	Country United States
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Additional inventors or a legal representative are being named on the   supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.